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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS
Pre-sessional working group
3-5 September 2001

IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

List of issues to be taken up in connection with the consideration of the second periodic report of Trinidad and Tobago concerning the rights covered by articles 1 to 15 of the International Covenant on Economic, Social and Cultural Rights (E/1990/6/Add.30)

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1. GENERAL INFORMATION

A. General legal framework within which human rights are protected

1. Please provide information on how the rights under the Covenant are protected and implemented in national legislation other than the Constitution. Please also provide information on case law with regard to the rights set forth in the Covenant resulting in the award of compensation of violations.

2. Please indicate what specific measures the State party has taken to implement the Committee's recommendations concerning its previous reports.

3. Please describe the position of the State party with regard to the preparation of an optional protocol to the International Covenant on Economic, Social and Cultural Rights.

B. Information and publicity

4. What specific measures has the State party taken to publicize the rights set forth in the Covenant? Specifically, what types of educational programme are there for disseminating the scope of those rights?

II. ISSUES RELATING TO THE GENERAL PROVISIONS OF THE COVENANT (arts. 1-5)

Article 1. Self-determination

5. Please provide information on the measures taken by the State party to protect its natural resources.

Article 2.1. General measures for implementation

6. Does the State party ensure that its obligations under the Covenant are taken fully into account when it enters into negotiations with international financial institutions?

7. What have been the results of the implementation of structural adjustment programmes and other assistance programmes of international organizations? What is the State party's evaluation of these programmes?

Article 2.2. Non-discrimination

8. Since there is no specific anti-discrimination provision in the Constitution of the State party (para. 32), please indicate whether the State party intends to adopt a comprehensive law on non-discrimination. Please also indicate whether the Equal Opportunity Bill has been adopted (para. 74), and whether this legislation constitutes such a comprehensive non-discrimination law.

9. Please provide detailed information on measures the State party has adopted (with reference to specific provisions) to ensure the exercise of the rights provided for in the Covenant for persons with disabilities, older persons, persons living with HIV/AIDS, minority ethnic groups and foreigners living within its territory.

Article 3. Equality between men and women

10. Please specify the measures taken by the State party to incorporate the gender perspective in national legislation, public policies and education programmes. Please provide comparative statistical data on the number of women in political positions, in the judicial system and in the private business sector.

11. Please provide information on recent measures taken by the Government to ensure equality between men and women in the exercise of the economic, social and cultural rights. Furthermore, please provide information on the legal means of recourse and redress at the disposal of women in case of discrimination.

III. ISSUES RELATING TO SPECIFIC PROVISIONS OF THE COVENANT (arts. 6-15)

Article 6. Right to work

12. Please provide detailed information on the measures taken by the State party aimed at creating jobs and reducing unemployment (para. 54).

13. Please provide additional information on the Farm Programme and the export of labour from Trinidad and Tobago, referred to in paragraphs 56 and 68.

14. Please indicate the measures adopted by the State party to eradicate child labour.

Article 7. The right to just and favourable conditions of work

15. Please state whether the current minimum wage covers the cost of the basic food basket and whether it is regularly reviewed in the light of the changing costs of living (paras. 89-90).

16. Please provide information on the measures being taken by the State party to reduce the disparity in the working conditions and remuneration of men and women, especially in the private sector.

17. Please provide information on the State party's current position regarding the ratification of ILO Conventions, which are being considered by the Standing Tripartite Committee on Labour Matters (para. 79), and in particular ILO Convention No. 81.

18. Please indicate which provisions regulate basic working conditions (sickness, holidays) for workers not covered by collective agreements and labour contracts (paras. 120-122).

Article 8. Trade union rights

19. Please explain why many categories of employees - especially civil servants, teachers, central bank employees, domestic employees and apprentices - are not regarded as workers (para. 131), and are consequently deprived of their trade union rights and the right to strike.

20. Please indicate the number of strikes that have occurred in the past five years and provide more information on the circumstances in which the right to strike can be invoked (para. 133).

Article 9. right to social security

21. Please furnish information on the social security system, old-age and disability pensions, women's and pensions, and the contributory and non-contributory and social security systems (paras. 136, 138 and 139).

22. Please furnish statistics disaggregated by gender and age concerning persons not covered by social security, and provide additional information on the measures taken by the State party to ensure increased coverage.

Article 10. Protection of the family, mothers and children

23. Please provide more information on family protection measures and indicate what steps are being taken to protect victims of domestic violence, especially women and children. Please also provide data on the results obtained through approval of the new domestic violence legislation (para. 41) and state whether domestic violence has decreased.

24. Please state what measures are taken to guarantee that fathers assume responsibility for their children's maintenance when the fathers live elsewhere.

25. Please provide information on the progress achieved with regard to adoption of legislation protecting the rights of the child (para. 33). In particular, please furnish more information and statistics on the number of homeless children, working children, children with physical and mental disabilities, those living with HIV/AIDS and drug users, as well as information and statistics on child prostitution and trafficking in children. What preventive measures is the State party taking, and how does it accommodate the needs of these children and counter the abuses to which they are subjected (paras. 160-162)?

26. Please provide information on the protection afforded to households headed by women and state whether they enjoy the same rights regarding the provision of social welfare benefits. What measures is the State party taking to promote gender equality in such situations (paras. 168-174)?

Article 11. Right to an adequate standard of living

27. According to paragraph 180 of the report, 32.5 per cent of all households were living under the poverty line in 1992. Please provide adequate and updated information to enable the Committee to evaluate the measures being taken by the State party to combat poverty.

28. Please supply information and statistics on the housing needs of the population of the State party and the financial resources allocated annually to the housing sector by the State party (para. 207). Please also provide information on measures taken to reduce the problem of homelessness.

29. Please provide updated statistical data concerning malnutrition, with particular emphasis on the most vulnerable groups and on programmes designed for these segments.

30. What measures are being envisaged by the State party to ensure the full utilization of agricultural land, in order to increase agricultural production and improve food security in the State party? Please also provide information on the distribution of agricultural property.

31. Please provide information on the current status of the Socially Displaced Persons Bill and on the Home for Older Persons Bill, and the measures currently being implemented to assist those vulnerable groups (paras. 212-217).

Article 12. Right to health

32. Please provide information on the resources earmarked by the State party for the health sector and on the priorities assigned.

33. Please indicate the specific programmes devoted to reducing and preventing infant mortality, maternal mortality and prenatal and neo-natal mortality, as well as teenage pregnancies and back-street abortions, and provide up-to-date statistics on these matters (para. 256). Please also provide up-to-date information on programmes on sexual and reproductive health in the State party.

Articles 13 and 14. Right to education

34. Please indicate whether the percentage of the gross domestic product (GDP) earmarked for education, which stood at 3.7 per cent in 1999, is sufficient to meet the requirements of the right to education and what measures the State party is taking to ensure access for all to secondary education.

35. Please indicate recent progress, accompanied by statistical information, on equal access to education through the creation of school places for boys and girls at the primary and secondary levels (paras. 292-293).

36. Please state whether human rights are taught in primary, secondary and higher education, and provide information on human rights training for teachers.

Article 15. Right to take part in cultural life

37. Please provide information on the measures taken to promote and safeguard the values and cultural identity of the various ethnic groups living in the State party.

38. Please provide information and statistical data on museums, theatres, cultural centres and libraries in the State party, and on the proportion of funding provided by the State party to such institutions.

39. Please supply information on the facilities and benefits granted to young people, older persons, persons with disabilities and children for participating in cultural activities.

40. Please furnish information on the measures taken by the State party to promote the population's access to scientific and technological information.